



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : 30.06.2021

CORAM :

THE HONOURABLE MR.JUSTICE N.ANAND VENKATESH

W.P. (MD) .No.10830 of 2021

R.Thangavel

... Petitioner

Vs.

1.The Sub Registrar,
Vadamadurai,
Dindigul District.

2.Kannan

... Respondents

Prayer: This Petition filed under Article 226 of the Constitution of India, to issue a Writ of Mandamus, directing the 1st respondent to restore and register the partition deed in temporary document No.TP/102404790/2021, dated 03.05.2021, with regard to property in Survey No.927/2, 927/3, 929, 930/1A1, 930/1A2, 930/1A3, 930/2A1, 930/2A2, situated sukkampatti Village, Vedasandur Taluk, Dindigul District, based on petitioner's representation, dated 16.06.2021.

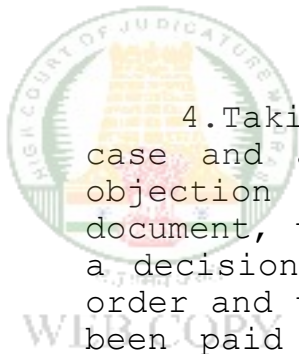
For Petitioner	: Mr.G.Gomathi Sankar
For Respondents	: Mr.R.Suresh Kumar for R1 Government Advocate

ORDER

This writ petition has been filed for the issue of writ of Mandamus, directing the first respondent to register the partition deed that was presented for registration, on 03.05.2021 and to release the document.

2.The grievance of the petitioner is that the petitioner and his brothers had entered into a partition and the partition deed came to be submitted before the first respondent for registration. However, the first respondent refused to register the document without assigning any reason and the petitioner was informed that there is some objection given by the second respondent. According to the petitioner, the second respondent has no right or title over the property and the first respondent ought not to have kept the document pending without taking any decision.

3.Heard Mr.G.Gomathi Sankar, learned counsel appearing for the petitioner and Mr.R.Suresh Kumar, learned Government Advocate appearing for the first respondent.



4.Taking into consideration the facts and circumstances of the case and also the fact that the second respondent has given an objection to the first respondent for the registration of the document, there shall be a direction to the first respondent to take a decision to either register the document, if it is otherwise in order and the necessary stamp duty and the registration charges have been paid or refuse to register by passing an appropriate order under Section 71 of the Registration Act, within a period of two weeks from the date of receipt of a copy of this order.

5.This writ petition is disposed of with the above directions.
No costs.

Sd/-

Assistant Registrar (CS I)

// True Copy //

/ /2021

Sub Assistant Registrar(CS)

TM

NOTE: In view of the present lock down owing to COVID-19 pandemic, a web copy of the order may be utilized for official purposes, but, ensuring that the copy of the order that is presented is the correct copy, shall be the responsibility of the advocate/litigant concerned.

To

1.The Sub Registrar,
Vadamadurai,
Dindigul District.

+1 CC to M/s.G.GOMATHISANKAR, Advocate (SR-20627[F] dated 30/06/2021)

+1 CC to M/s.SPL GP (SR-20905[F] dated 01/07/2021)

**W.P. (MD) .No.10830 of 2021
30.06.2021**

AS (07.07.2021) 2P 4C